

**THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

MICHAEL AND SHELLIE GILMOR,  
et al.,

Plaintiffs,

vs.

PREFERRED CREDIT CORPORATION,  
et al.,

Defendants.

Case No. 4:10-cv-00189-ODS

**JOINT MOTION FOR EXTENSION OF TIME TO FILE SUGGESTIONS IN  
OPPOSITION TO MOTIONS FOR SUMMARY JUDGMENT**

The undersigned parties Plaintiffs and LaSalle National Bank respectfully move the Court for a short extension of time to Monday, September 24, 2012, in which to file their suggestions in opposition to the following motions for summary judgment:

- (1) Plaintiffs' Motion for Partial Summary Judgment (Doc.'s 703, 704);
- (2) Defendant Wendover Financial Services Corporation's Motion for Summary Judgment (Doc. No.'s 666 and 667);
- (3) Motion for Summary Judgment of Defendant JPMorgan Chase Bank, National Association, as Former Trustee (Doc. No.'s 675 and 676);
- (4) Defendant Litton Loan Servicing, LP's Motion for Summary Judgment (Doc. No.'s 677 and 678);
- (5) Motion for Summary Judgment of Defendant Wilmington Trust Company (Doc. No.'s 679 and 680);
- (6) Motion for Summary Judgment of Defendants LaSalle National Bank and Wells Fargo Bank, N.A. (Doc. No.'s 686 and 688).

In support of this motion, Plaintiffs and LaSalle state as follows:

1. On August 27, 2012, Plaintiffs filed their motion and suggestions in support and various defendants filed the six (6) above-referenced summary judgment motions with suggestions in support. (Doc. No.'s 666 and 667; 675 and 676; 677 and 678; 679 and 680; 686 and 688, and 703 and 704). The motions and the suggestions for each motion are extensive.

2. Plaintiffs and LaSalle's respective suggestions in opposition to the above motions are due on or before September 20, 2012.

3. Plaintiffs and LaSalle each need additional time to prepare their suggestions in opposition given the size and number of the motions for summary judgment. In addition, Plaintiffs and LaSalle believe that additional time will allow them to continue exploring the possibility of one or more settlements, which would moot the need for filing any suggestions in response.

4. Plaintiffs and LaSalle and other parties filed a Joint Motion for Extension of Time to File Suggestions in Opposition to Motions for Summary Judgment on September 18, 2012, which the Court denied. In light of the Court's ruling, Plaintiffs and LaSalle now request a shortened extension of time in which to respond to the various motions for summary judgment up through Monday, September 24, 2012.

5. Plaintiffs and LaSalle have discussed the nature and extent of the pending motions and agree that the requested extension is appropriate.

6. This request is made in good faith, is not for purposes of delay, and will not unfairly prejudice any party. Further, the request will not adversely affect any deadlines in this case.

7. Plaintiffs have inquired of the remaining Defendants who have not settled with respect to this request whether or not they objected to this request and have not received any response other than from Wilmington Trust Company, who indicated that it would not join in the motion.

WHEREFORE, Plaintiffs and LaSalle respectfully request the Court to enter an Order granting an extension of time to Monday, September 24, 2012 in which to file their suggestions in opposition to the following motions for summary judgment:

- (1) Plaintiffs' Motion for Partial; Summary Judgment (Doc. No.'s 703, 704);
- (2) Defendant Wendover Financial Services Corporation's Motion for Summary Judgment (Doc. No.'s 666 and 667);
- (3) Motion for Summary Judgment of Defendant JPMorgan Chase Bank, National Association, as Former Trustee (Doc. No.'s 675 and 676);
- (4) Defendant Litton Loan Servicing, LP's Motion for Summary Judgment (Doc. No.'s 677 and 678);
- (5) Motion for Summary Judgment of Defendant Wilmington Trust Company (Doc. No.'s 679 and 680);
- (6) Motion for Summary Judgment of Defendants LaSalle National Bank (Doc. No.'s 686 and 688);

and to grant such other relief as the Court deems just and proper.

Dated: September 19, 2012

Respectfully submitted,

WALTERS BENDER STROHBEHN  
& VAUGHAN, P.C.

By: /s/ R. Frederick Walters

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**ATTORNEYS FOR DEFENDANTS BANK OF  
AMERICA, N.A. AS SUCCESSOR BY  
MERGER TO LASALLE NATIONAL BANK,  
IN ITS CAPACITY AS FORMER INDENTURE  
TRUSTEE OF TERMINATED TRUST IMPAC  
CMB TRUST SERIES 1991-1**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this the 18<sup>th</sup> day of September 2012, I electronically filed the above and foregoing document with the Clerk of Court of the Western District of Missouri using the Court's ECF system, which will send notification of said filing to all counsel of record who are ECF participants. In addition, a copy was served by U.S. mail, First-Class Postage Prepaid, to:

Arthur E. Kechijian, Manager  
United Mortgage C.B., LLC  
P.O. Box 471827  
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**Defendant United Mortgage C.B., L.L.C.**

/s/ R. Frederick Walters